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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/725,343	11/29/2000	Alfred Jahn	GR 98 P 1824	9402

7590 02/17/2004  
Lerner and Greenberg, P.A.  
P.O. Box 2480  
Hollywood, FL 33022-2480

EXAMINER

NGUYEN, SIMON

ART UNIT	PAPER NUMBER
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2685

DATE MAILED: 02/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/725,343

Applicant(s)

JAHN, ALFRED

Examiner

SIMON D NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2 are rejected under 35 U.S.C. 102(e) as being anticipated by Kumaki et al. (6,473,411).

Regarding claim 1, Kumaki discloses a method for switching device (mobile support router device or MSR) that can be used to establish wireless connections with mobile terminals through base stations (fig.14), comprising: when a mobile terminal device logs on at a base station (the mobile terminal is in a standby or just turns on), communicating (i.e., a location registration) a terminal identifier from the mobile terminal to the base station, wherein the location registration happens prior to a call connection setup; communicating from the base station to the switching device, the terminal identifier and a control information item (i.e., call origination connection, call termination connection) that identifies the mobile terminal and activates a forwarding feature in the switching device (fig.14, 16, 19-20, 27-29, 59, column 17 lines 24-28, column 43 lines 27-50, column 49 lines 29-32); and if a connection request is directed

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to the mobile terminal, initiating a connection setup to be routed via the base station (fig.14, 16, 19-20, 27-29, 59, column 43 line 57 to column 46 line 67).

Regarding claim 2, Kumaki discloses the base station transmits its identifier to the switching device (figs. 14, 27-29, column 38 lines 9-22).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3-5, 7, 9, 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kumaki et al. (6,473,411) in view of Mahany et al. (5,949,776).

Regarding claim 3, Kumaki discloses a method for switching device (mobile support router device or MSR) that can be used to establish wireless connections with mobile terminals through base stations (fig.14), comprising: when a mobile terminal device logs on at a base station (the mobile terminal is in a standby or just turns on), communicating (i.e., for a location registration) a terminal identifier from the mobile terminal to the base station, wherein the location registration happens prior to a call connection setup; communicating from the base station to the switching device, the terminal identifier and a control information item (i.e., call origination connection, call termination connection) that identifies the mobile terminal and activates a forwarding

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feature in the switching device (fig.14, 16, 19-20, 27-29, 59, column 17 lines 24-28, column 43 lines 27-50); and if a connection request is directed to the mobile terminal, initiating a connection setup to be routed via the base station (fig.14, 16, 19-20, 27-29, 59, column 43 line 57 to column 46 line 67). However, Kumaki fails to disclose an interposed base station to connect between the base station and the switching device.

Mahany discloses a communication system in which a mobile station (66) communicating with a switching device (55) via a base station (58) and an interposed base station (59) (figs.1c). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have Kumaki, modified by Mahany to establish a connection with a serving base station via an interposed base station (wireless base station) in case of a mobile is out of range of the serving base station.

Regarding claim 4, Kumaki further discloses setting up a route of a connection and using the information about the route to create a path (figs.14, 28-29, 48, 50).

Regarding claim 5, this claim is rejected for the same reason as set forth in claim 2.

Regarding claim 7, Kumaki discloses a changing of call number (ID number) in a switching device when the data forwards to a destination (column 60 lines 9-15, column 64 lines 32-45).

Regarding claim 9, Kumaki further discloses the logging on data (location registration) for handoff is transferred from one base station to another (figs.28-29).

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Regarding claims 11-12, this claim is rejected for the same reason as set forth in claim 3, wherein the communication data wirelessly (wire-free) transmits between base stations (see Mahany).

Regarding claim 13, the modified Kumaki does not specifically disclose transmitting data in a wire-free manner between a base station and a switching device. The examiner takes an official notice that for a mobile base station or a wireless base station to communicate with a mobile switching center (MSC), the connection has to perform via an wireless interface (air interface) which is well known to those skilled in the art to temporarily set up a wireless base station in order to reduce the communication traffic in a rush hour.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kumaki et al. (6,473,411) in view of Mahany et al. (5,949,776) applied to claim 3, and further in view of Chapman et al. (6,192,231).

Regarding claim 6, the modified Kumaki discloses the data is forwarded to a destination (column 49 lines 29-31). However, Kumaki does not specifically disclose a call diversion.

Chapman discloses a communication system including a call diversion (column 5 line 30, column 6 line 18). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have the modified Kumaki, modified by Chapman to provide a call diversion in the system in order to allow incoming/outgoing calls to be transferred from one extension line to another.

6. Claims 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kumaki et al. (6,473,411) in view of Mahany et al. (5,949,776) applied to claim 3, and further in view of Bilgic et al. (6,580,906).

Regarding claim 8, in the modified Kumaki, Kumaki discloses a table for storing the mobile terminal identifiers (figs. 14, 16). However, Kumaki does not disclose checking the authentication of mobile terminals and the authentication is transferred from one base station to another.

Bilgic discloses a step of authenticating for each mobile station (column 4 line 65). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have the modified Kumaki, modified by Bilgic to provide a setup security in the system in order to prevent illegal users.

Regarding claim 10, in the modified Kumaki, Kumaki discloses the data transmits from one base station to another base station (figs.27-29) and Bilgic discloses the mobile registration checking the authorization. However, the modified Kumaki and Bilgic does not specifically disclose the authentication is transferred from one base station to another.

The examiner takes an official notice that the transfer the authentication data from one base station to another base station is well-known to those skilled in the communication art in order to shorten time for setting up a connection when the mobile station roaming.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Simon Nguyen whose telephone number is (703) 308-1116. The examiner can normally be reached on Monday-Friday from 7:00 AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Urban, can be reached on (703) 305-4385.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 306-0377.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

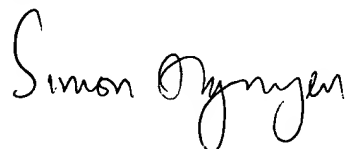
Or faxed to:

(703) 872-9314, (for formal communications intended for entry)

Hand-delivered response should be brought to Crystal Park II,  
2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Simon Nguyen

February 10, 2004

A handwritten signature in cursive script that reads "Simon Nguyen".